

**UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*Docket No.
YO9-99-302

Total Pages in this Submission

TO THE ASSISTANT COMMISSIONER FOR PATENTSBox Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

UTILIZING PROGRAMMING OBJECT VISUAL REPRESENTATIONS FOR STATE REFLECTION

and invented by:

Donald P. PazelIf a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: _____

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Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 16 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications *(if applicable)*
 - c. ☐ Statement Regarding Federally-sponsored Research/Development *(if applicable)*
 - d. ☐ Reference to Microfiche Appendix *(if applicable)*
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings *(if drawings filed)*
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal Number of Sheets _____
- b. ☒ Informal Number of Sheets 5
4. ☒ Oath or Declaration
- a. ☒ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. ☐ Computer Program in Microfiche *(Appendix)*
7. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy *(identical to computer copy)*
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☐ Assignment Papers *(cover sheet & document(s))*
9. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☐ Certificate of Mailing
- ☐ First Class ☐ Express Mail *(Specify Label No.):* HAND DELIVERED

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Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Additional Enclosures (please identify below):


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Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	9	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	3	- 3 =	0	x \$78.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$760.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$760.00

- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **50-0510** as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of **\$760.00** as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).


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APPLICATION
FOR
UNITED STATES
LETTERS PATENT

Applicants: Donald P. Pazel
For: UTILIZING PROGRAMMING OBJECT VISUAL
REPRESENTATIONS FOR STATE REFLECTION
Docket No.: YO9-99-302

UTILIZING PROGRAMMING OBJECT VISUAL REPRESENTATIONS FOR STATE REFLECTION

DESCRIPTION

BACKGROUND OF THE INVENTION

5

Field of the Invention

The present invention generally relates to the field of visual programming languages and object-oriented programming languages and, more particularly, to the utilization of graphical elements for representing objects used in programming. It encompasses a method by which programming state with reference to programming objects is reflected through the graphical elements in the course of programming,

10

Background Description

The motivation behind visual programming language technology is to utilize visual representations of programming elements to build and generate programs. The field is very large. Generally however, the approaches to visual programming may be classified into the following:

15

- Visual Designers - Those in visual programming languages, which focus on the construction of user interface applications. Much of the focus is on interface form and presentation construction with caveats for generating event code to facilitate textual programming of other parts of an application.

20

- Wiring-Based Languages - These languages have visual representations of programming entities, such as objects or processes. Programming proceeds by creating and connecting visual representations with lines, which typically indicate data or event flow.
- 5 • Structured-Logic Based - These focus on structuring the logic of a program. Typically logic is represented with nested graphical figures which represent logical entities, e.g. if, loops, etc. Typically visual representations of programming objects are not shown in these tools.
- 10 • Form-Based - These are visual programming languages of the spreadsheet genre. Typically represented as grids or arrays of numbers, a textual macro language usually accompanies the language to do more complex manipulations.

Most visual programming languages are wiring-based. The power of this type of language resides in its ability to represent parallelism. That is, its power is its ability to show either simultaneous, concurrent, or alternate possible executions at the same time. The focus of these types of languages has been a connection paradigm (wires) which generally indicates either event or data flow.

Whereas the connectivity aspect is the chief asset of these languages, it is also its greatest liability. Wire-based language programs become difficult to decipher even in modestly complex examples, as the causal nature of execution rapidly gets lost in the implicit parallelism of the diagram. Also, the visual element that represents the object tends to be limited. Generally, visual elements are either named boxes representing variables, or iconic representations. By virtue of lacking good visual representations for the programming object, one cannot easily tell the state of a programming object. For example, in the course of programming, some data may attain default

settings, or some aspects of an object's data may be inaccessible, or some measure of allocable resource may be depleted. This type of information may be derived from either code analysis or from information assumed in the course of programming the application itself. Limited representations typically
5 utilized in the current state of the art do not have enough richness to indicate this level of detail, nor were they intended to show that level of detail.

SUMMARY OF THE INVENTION

It is therefore an objective of the present invention to provide a method and apparatus for utilizing graphical representations of programming objects
10 to reflect the state of programming objects.

As a matter of clarification and distinction, the teaching on state reflection is unique in that it reflects the state of programming objects at the time of programming in a visual programming language. Many visual programming languages have graphical representations for program objects.
15 However, they typically reflect state during execution as opposed to during programming, which is the teaching of this invention. On the other hand, any visual programming language that utilizes visual representations, for programming objects during programming, typically have relegated them to trivial visualizations with no indication of programming state.

20 According to the invention, the visual programming language comprises a set of graphic aspects which are associated with data element states via a set of graphic aspect references. Each programming object used in the visual programming language comprises a set of data elements. The programming objects may be related via super and subclass objects structures.

25 The aspect process detects when a data element has changed its state and reflects that state change in the visual representation of the programming

objects and their respective graphic aspects. A list of graphic aspect references points to a number of graphic aspects which may or may not be applicable to the detected state change. All applicable graphic aspects are applied to the visual representation of the data element whose state has changed. As other
5 data element state changes occur, the applicable graphical aspects are applied accordingly.

BRIEF DESCRIPTION OF THE DRAWINGS

The foregoing and other objects, aspects and advantages will be better understood from the following detailed description of a preferred embodiment
10 of the invention with reference to the drawings, in which:

Figure 1 depicts a block diagram of a data processing system for the visual programming language of this invention;

Figure 2 depicts the relationship between programming objects and their graphical rendering in the present invention;

15 Figure 3 depicts the basic notion of state reflection in the present invention;

Figure 4 depicts an overview of the computer structure of data for state reflection in the present invention; and

20 Figure 5 depicts a block diagram showing the program execution flow for programming state reflection.

DETAILED DESCRIPTION OF A PREFERRED EMBODIMENT OF THE INVENTION

The present invention relates to a method and apparatus for utilizing graphical elements for programming objects to reflect programming state. In

preferred embodiments, a number of different types of programming objects may be graphically represented including but not limited to local and global variables. These include variables of common types such as, but are not limited to, integer, real, string, character, and Boolean, as well as untyped objects. They also include objects that are derivatives or composites of these and other variables, such as is taught in object-oriented technology, i.e. programming objects based on the classic object-oriented methodology.

The present invention refers to graphical elements as the means by which these objects are displayed on a computer. In general, in preferred embodiments of the present invention, these include graphical elements such as, but not limited to, squares, ellipses, and irregular shapes. Properties of these elements include, but are not limited to, size, color, border line type, and border color.

Other geometric shapes such as trapezoids, triangles, and the like are contemplated for use by the present invention. In addition, non-traditional, graphical elements, which rely on techniques of 3-dimensional figures, animations, and the like, are contemplated. Accordingly, the method and apparatus of the present invention is not limited to any one type of graphical element for the representation of programming elements.

Referring now to the drawings, and more particularly to Figure 1, there is shown a block diagram of a data processing system 1 for a visual programming language of the present invention. In a preferred embodiment, the data processing system 1 is a personal computer (PC) such as an IBM APTIVA computer (IBM and Aptiva are both registered trademarks of the International Business Machines Corporation). However, other data processing systems 1 are also contemplated for use by the present invention. For example, the invention can be implemented using a plurality of separate electronic circuits or devices (e.g., hardwired electronic or logic circuits, or

programmable logic devices (PLDs) such as, PLAs (Programmable Logic Array), PALs (Programmable Array Logic), or the like). A suitable programmed, general purpose computer, e.g., a microprocessor, microcontroller or other processor device (central processing unit (CPU) or microprocessing unit (MPU)), either alone or in conjunction with one or more peripherals (e.g. integrated circuit), data and signal processing devices can be used to implement the invention. In general, any device or assembly of devices on which a finite state machine capable of implementing the flow charts shown in the figures can be used as a controller with the invention.

10 Referring again to Figure 1, the data processing system 1 of the present invention comprises a data processor 2 having a memory 3. The memory 3 is coupled to the data processor 2 via a bidirectional bus. In preferred embodiments, the memory 3 includes program and data memory. The memory also includes information about the programming objects 4, information about graphical information 5, including graphical information representing the programming objects 4. The memory includes information 6 about the program generated by the programming objects.

15 The graphical information 5 (e.g., programming objects represented as graphical elements) is displayed on the display 7, which is coupled to the data processor 2. In preferred embodiments of the invention, a user data entry device 8, (e.g. keyboard or other interactive device) and a pointing device 9, for example, a mouse or a trackball, are also coupled to the data processor 2.

20 In a preferred embodiment, the display 7 provides a presentation space in order to display the programming object of the present invention. In further embodiments, either the pointing device 9 or predefined keys of the data entry device 8 may be used to manipulate the data in conformity with the present invention.

It is also contemplated, for preferred embodiments, that a persistent

storage mechanism 10 may exist and be utilized to store the program information 6. This type of storage media may include, but is not limited to, standard disk drive technology, tape, or flash memory. In a preferred embodiment, the program information may be both stored onto the persistent media, and/or retrieved by similar data processing system 1 for execution. It is also anticipated that sufficient information about programming objects and their graphical elements may be stored and/or retrieved in such a fashion as to allow the further modification of the generated program utilizing the stored information about the programming objects 5 and graphical information 6.

Referring now to Figure 2, there is shown a block diagram of a visual programming language of the present invention running on a processing system as just described. The teaching of this diagram is to illustrate the relationship between the programming objects 190 and 200 in memory and their rendering on the display 100. In this example, programming object 190 logically contains within it a programming object 200. By way of illustration, 190 may represent a variable in a visual programming language for a person, and 200 may represent a variable, logically contained within the variable 190, in a visual programming language for the person's name. As a matter of distinction of importance, these do not represent actual instances of data for the person and name, but rather, by being a variable, are an abstract representation for person and name utilized in building a program within a visual programming language.

The display 100 shows a number of graphical elements of various shapes and sizes. Again, this is by way of illustration, and the teaching of this invention is not to be construed in any way to be limited to aspects of this illustrative rendering. It is the intent of this diagram to show that graphical elements 120, 130, 140, 150, and 160, the latter being further comprised of graphical elements 170 and 180 provide a visual representation of the

programming object. Note that the separate graphical elements are not necessarily in a particular relationship, nor in any size or any other aspect of relationship. All that is noted is that the aggregate of these graphical elements represents the programming object 190. This association between a

5 programming object and graphical elements is presumably defined in some appropriate methodology, for example, a graphical editor or through some textual definition.

In Figure 2, the graphical element 160 which includes graphical elements 170 and 180, represents the name programming variable 200 which

10 is logically contained within the programming variable 190. Graphical representations 120, 130, 140, 150 and 160 (further containing graphical elements 170 and 180) correspond to the programming variable 190. This serves to further illustrate the recursive nature of the mapping of programming objects to graphical elements. In this case, the relationship between

15 programming variable 200 and its graphical elements 160, 170 and 180 may have been established prior to building programming variable 190 and its graphical relationships. When programming variable 190 was constructed, it simply utilized its existing graphical elements within programming variable 200, and added others.

20 Manipulation of the graphical elements shown on the display 100 is achieved through, but not limited to, the means mentioned in the description of Figure 1. As is typical to the industry, and by way of illustration, a mouse cursor 210 is utilized on the screen of manipulating graphical elements using the mouse device 230. Any of the general techniques of that interaction can be

25 used, including but not limited to, moving, pushing (as in pushing buttons), and drag-drop. Alternatively, similar effects can be had utilizing a keyboard 220.

Again in Figure 2, the visual programming language is an executable

program 240 running on the processor 215. The visual programming language program provides the logic for translating manipulations of graphical elements on the display to manipulations of programming objects in memory. It also provides a means for sending appropriate instructions to the processor 215 and the display 100 in order to render appropriately the graphical elements, which visually represent the programming objects in memory.

Referring now to Figure 3, there is shown a block diagram of a visual programming language of the present invention. The teaching of this diagram is to illustrate the product of this invention, namely programming object *state reflection*. The Figure shows a display 400 along with memory 410 for programming objects. The display 400 depicts visual representations 440, 450 and 460 of the programming objects 470, 480 and 490 in a manner discussed for Figure 2. A mouse cursor 500 is also shown. The visual programming language executable 430 maintains the relationships between the visual representations and the programming objects, again, as discussed for Figure 2.

In the course of programming with the programming objects 470, 480 and 490, the states of these programming objects may change. For example, the data they represent may not be initialized, or they may be set to some default values. Through program analysis or other means, general characteristics may be determined, for example, that their values may be within a certain set of values or ranges. This all depends upon the nature of the variables, and the values they may be assigned. When for a given programming object, at any point in programming, characteristics such as these are determined, it is said that the programming object's programming state is determined. It is the teaching of this invention that when these states are determined they can induce changes in the graphical properties of the visual representation of the object. By way of illustration, if a programming object is known to have been set to some default value, the color of some

related graphical element might be set to red. This process is known as *state reflection*.

Referring now to Figure 4, there is shown a block diagram indicating data information to be maintained to implement state reflection in this invention. For each programming object used to program in the visual programming language, there exists information or data 600, which describes the composition of this programming object. Amongst this data are lists or sets of data element information 610, each of which further describes the data or programming objects which 600 contains. For example, a billing programming object would, for instance, have data elements representing programming objects for the customer's name, address, etc. In an object-oriented system, the programming object 620 would reference its set of possible superclasses 600, and have a structure of the kind of 600 but pertaining to superclasses of the programming object 620.

There is also shown, in Figure 4 for the programming object 600, a set of data information 630 describing visual representations for this programming object when utilized in visual programming. Each visual representation would, for example, consist of, but not be limited to, a set of graphical elements 640 of various visual characteristics. Having multiple visual representations enhances the interactive capabilities of programming with the programming object. These representations may be presented in a mutually exclusive manner (only one at a time for this instance of the programming object), or one or more may be concurrently visualized in palettes, etc.

Each visual representation 630 has flexibility in altering graphical properties of its graphical element 640 in arbitrary manners. Any particular well-defined means of alteration is called a graphical aspect 650, and each visual representation has a set of them. Any number of implementations may

be employed to implement a graphical aspect, including but not restricted to rules-based processing, descriptive-data, or even hand-written programs. The implementation means is designated as an aspect process 690 to which the graphic aspect 650 has access.

5 Again in Figure 4, each data element 610 has a set of graphic aspect references 660, each of which serves as a reference pointer to an appropriate graphic aspect 650. The motivation for the existence of this reference is that when the data of a data element changes in some manner, the appropriate graphic aspect may be located quickly.

10 It should be noted in Figure 4, that there exists a many-to-one relationship between references to graphic aspects and graphic aspects. As shown for programming object 620 which is a subclass to programming object 600, there exists a set of data elements 670, each with a set of graphic aspect references 680. Since the data in superclasses are also contained in subclasses,
15 the visual representation, of the superclass can be affected by data that is part of a subclass. This justifies, for example, the existence of the graphic reference 680 to a graphic aspect 630 in the superclass.

 Also for clarification purposes, it would be undesirable for a graphic aspect reference of a superclass to refer to a graphic aspect of a subclass. In
20 that case, while an instance of a programming object 600 may be a superclass of some object 620, it also may not be. Therefore, the graphic aspect of the subclass 620 would in that instance be irrelevant to the superclass 600.

 Referring now to Figure 5, there is shown a block diagram of process execution statements within a visual programming language whereby a change
25 in a data element within a programming object is reflected as a change in a visual representation of a programming object. The execution sequence begins with the detection of a change 700 in the state of a data element. Typically, this happens because in the course of typical activities of a visual

programming language, a state change is called for by the rules of the language and thus made in the normal course of executing the visual programming language. That being the case, it can be safely assumed that at 700, the data element is acquired.

5 Again in Figure 5, the next step involves a traversal of the list of graphical aspect references. Thus, an acquisition of the next graphical aspect reference is done 710. On the first instance of this step, the first graphical aspect reference is acquired. A check is made if the list traversal is finished 720. If so, an exit is made 730. Otherwise, reference is utilized to
10 acquire the graphic aspect 740. A check is then made as to whether this aspect should be applied regarding this state change 750. If not, the main loop continues with the acquisition of the next graphical aspect 710. If it does, the aspect process is executed 760, making appropriate changes to the visual representation. Control returns to acquiring the next graphical aspect 710.

15 While the invention has been described in terms of a single preferred embodiment, those skilled in the art will recognize that the invention can be practiced with modification within the spirit and scope of the appended claims.

CLAIMS

Having thus described our invention, what we claim as new and desire to secure by Letters Patent is as follows:

1 1. A computer implemented method of visual representation of programming
 2 objects as graphical elements, wherein programming properties of
 3 programming objects are reflected through graphical properties of graphical
 4 elements, the method comprising the steps of:
 5 detecting a change in a state of a data element representing a
 6 programming object in visual representation and shown visually on a display
 7 device, wherein the data element represents a programming object as graphical
 8 elements and programming properties of programming objects are reflected
 9 through graphical element properties;
 10 determining graphical aspect changes that apply to graphical elements
 11 of the programming object appropriate for the change in state; and
 12 applying the graphical aspect changes to corresponding graphical
 13 elements, wherein the graphical aspect changes include changes in color,
 14 position and size.

1 2. A computer implemented method as recited in claim 1, wherein
 2 determining graphical aspect changes further comprises the steps of:
 3 traversing a list of graphical aspect references to acquire a graphic
 4 aspect for the data element, wherein there is a many-to-one relationship
 5 between graphical aspect references to graphic aspects and a graphic aspect;
 6 and
 7 for each graphic aspect referenced by the list of graphical aspect
 8 references, determining whether the graphic aspect applies to the change in

9 state.

1 3. A computer implemented method as recited in claim 1, wherein the visual
2 representation of a first programming object may include other visual
3 representations corresponding to at least one additional programming object
4 logically contained within the first programming object.

1 4. A computer implemented method as recited in claim 1, wherein more than
2 one visual representation is defined for a programming object.

1 5. A computer implemented method as recited in claim 4, wherein any of the
2 more than one visual representation may be used for the programming object.

1 6. A computer implemented method as recited in claim 1, wherein the visual
2 representation for a superclass of a programming object is used as the visual
3 representation for a subclass programming object.

1 7. A computer implemented method as recited in claim 6, wherein a visual
2 representation of a superclass of the programming object is used as a visual
3 representation for a subclass of the programming object.

1 8. An apparatus for visual representation of programming objects as graphical
2 elements comprising:

3 a data processing system comprising a display device, an interactive
4 device, as in a keyboard, a pointing device, a storage device, and a data
5 processor;

6 memory coupled to the data processor via a bidirectional bus, wherein
7 the memory includes a first memory section for at least one program and a

8 second memory section for data;
 9 computer code comprising a visual programming language, wherein
 10 the computer code is stored in the first memory section, and the computer
 11 code detects changes in state information corresponding to a data element and
 12 applies graphic aspects to a visual representation of the data element which
 13 represents the state change; and
 14 means for displaying the visual representation of a plurality of data
 15 elements on the display device.

1 9. A machine readable medium containing code for visual representation of
 2 programming objects as graphical elements, wherein programming properties
 3 of programming objects are reflected through graphical properties of graphical
 4 elements, the code implementing the steps of:
 5 detecting a change in a state of a data element representing a
 6 programming object in visual representation and shown visually on a display
 7 device, wherein the data element represents a programming object as graphical
 8 elements and programming properties of programming objects are reflected
 9 through graphical element properties;
 10 determining graphical aspect changes that apply to graphical elements
 11 of the programming object appropriate for the change in state; and
 12 applying the graphical aspect changes to corresponding graphical
 13 elements, wherein the graphical aspect changes include changes in color,
 14 position and size.

UTILIZING PROGRAMMING OBJECT VISUAL REPRESENTATIONS FOR STATE REFLECTION

ABSTRACT OF THE DISCLOSURE

5 A method and apparatus for utilizing graphical representations of
programming objects to reflect the state of programming objects. State
reflection is unique in that it reflects the state of programming objects at the
time of programming, rather than during execution, in a visual programming
language. The visual programming language comprises a set of graphic
aspects which are associated with data element states via a set of graphic
10 aspect references. Each programming object used in the visual programming
language comprises a set of data elements. The programming objects may be
related via super and subclass objects structures. The method detects when a
data element has changed its state and reflects that state change in the visual
representation of the programming objects and their respective graphic
15 aspects. A list of graphic aspect references points to a number of graphic
aspects which may or may not be applicable to the detected state change. All
applicable graphic aspects are applied to the visual representation of the data
element whose state has changed. As other data element state changes occur,
the applicable graphical aspects are applied accordingly.

20

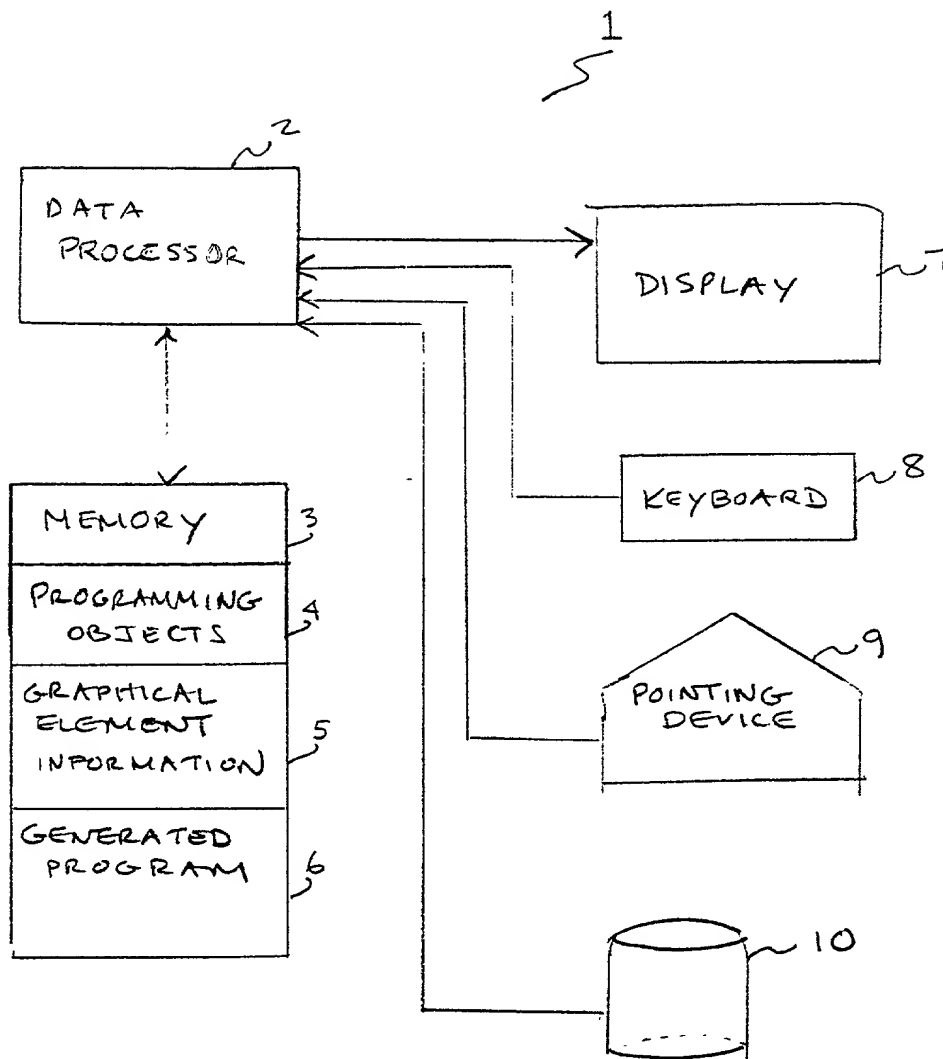


FIG. 1

660260 220400

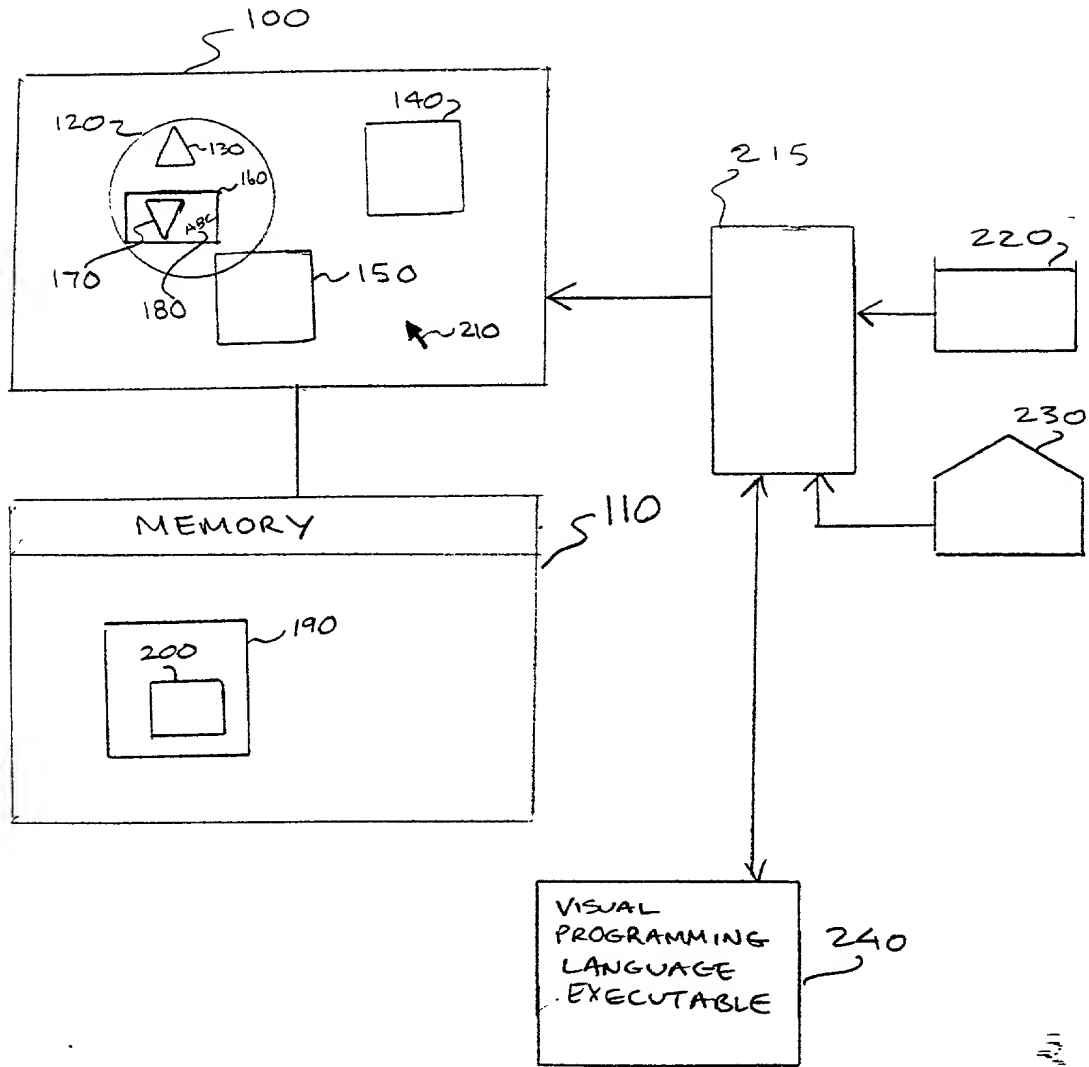


FIG. 2

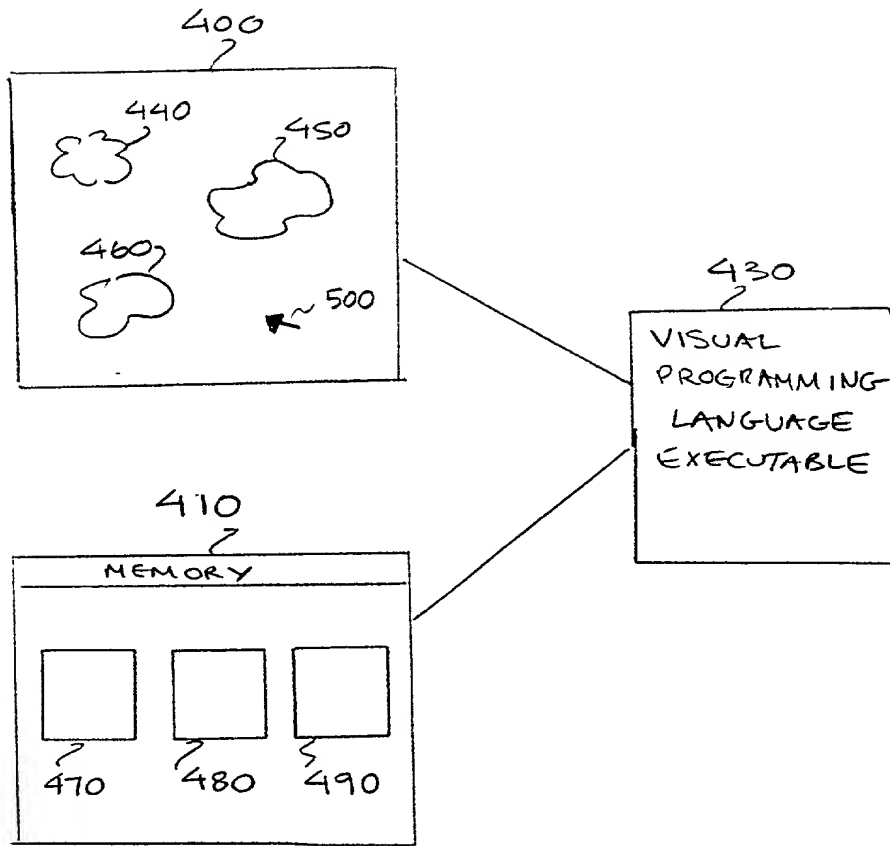


FIG. 3

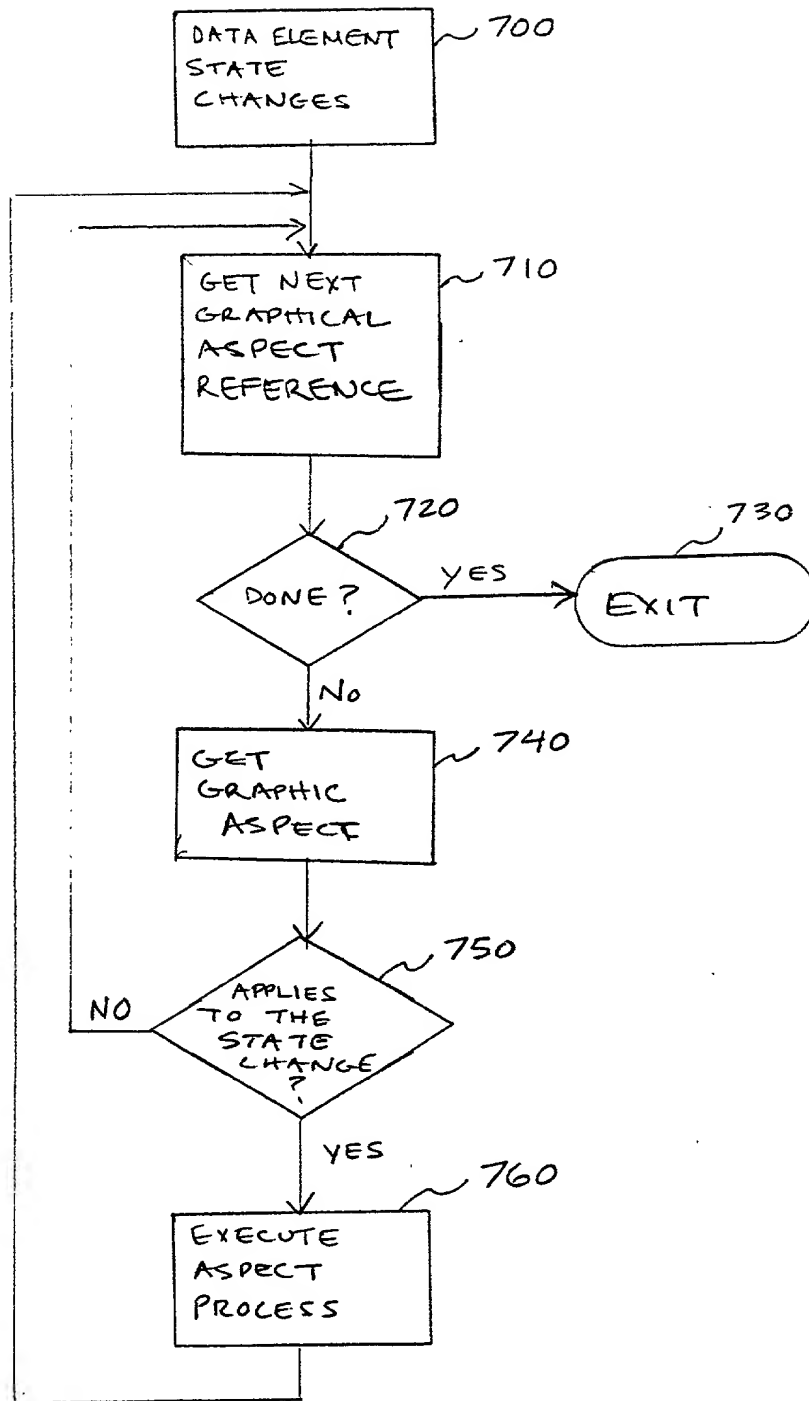


FIG. 5

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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(2) Inventor:

Signature: _____

Date: _____

Residence: _____

Citizenship: _____

Post Office Address: _____

(3) Inventor:

Signature: _____

Date: _____

Residence: _____

Citizenship: _____

Post Office Address: _____

*Title 37, Code of Federal Regulations, §1.56(a):

(a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.

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